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| 10/528,835 | 10/04/2005 | Xavier Blin | 05725.1419-00000 | 3743 |
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| FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER LLP 901 NEW YORK AVENUE, NW WASHINGTON, DC 20001-4413 | | | EXAMINER DICKINSON, PAUL W | |
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

The rejection of claims 85-88, 90, 93, 95-100, 104-116, 135-137, and 141-175 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention, is maintained.

The rejection of claims 85-88, 90, 93, 95-100, 104-116, 135-137, and 141-175 under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement, is maintained.

Applicant arguments have been fully considered but are not found persuasive.

The Examiner acknowledges that the Fox Law equation now shown on pages 13-14 of the specification is a logical mathematical equation. This Examiner further acknowledges that, by the definition of the equation, that T_{gi} is the glass transition temperature of the homopolymer of the monomer i . This notwithstanding, T_{gi} is not a constant because the glass transition temperature for a given polymer, including a given homopolymer, is dependent on a variety of factors and, contrary to Applicant's assertion, there is nothing in the record to show that T_{gi} for a given monomer is a constant. Many factors govern glass transition temperatures, including molecular weight and molecular weight distribution, crystallinity of the polymer (which is a product of how the polymer is made), diluents present, the polymer's thermal history, and the method used to measure the T_g (for example, T_g is pressure dependent, and the

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pressure used changes from method to method). The reply references Page 14 of the Polymer Handbook, 3rd ed., 1989, John Wiley as support that T_g for a given monomer is a constant. This page is not provided in the reply nor elsewhere in the record and was not considered.

The rejections are maintained for the reasons of record.

/Michael G. Hartley/

Supervisory Patent Examiner, Art Unit 1618